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7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2011-797*

11 **RONNIE RAY RAMIREZ**  
12 **745 Lincoln Road #38**  
13 **Yuba City, CA 95991**  
**Registered Nurse License No. 675753**

**A C C U S A T I O N**

14 Respondent.

15 Complainant alleges:

16 **PARTIES**

17 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
18 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
19 Consumer Affairs.

20 2. On or about March 14, 2006, the Board of Registered Nursing issued Registered  
21 Nurse License Number 675753 to Ronnie Ray Ramirez ("Respondent"). The Registered Nurse  
22 License was in full force and effect at all times relevant to the charges brought herein and will  
23 expire on May 31, 2013, unless renewed.

24 **JURISDICTION**

25 3. This Accusation is brought before the Board of Registered Nursing ("Board"),  
26 Department of Consumer Affairs, under the authority of the following laws. All section  
27 references are to the Business and Professions Code ("Code") unless otherwise indicated.  
28

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

## STATUTORY PROVISIONS

5. Section 118, subdivision (b) of the Code provides, in pertinent part:

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.”

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

7. Section 2761 of the Code provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

• • •

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

• • •

(e) Making or giving any false statement or information in connection with the application for issuance of a certificate or license..."

## COST RECOVERY

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

### 3 **FIRST CAUSE FOR DISCIPLINE**

#### 4 **(Disciplinary Action by the Connecticut Board of Nursing)**

5 9. Respondent is subject to disciplinary action under Code section 2761, subdivision  
6 (a)(4), on the grounds of unprofessional conduct in that Respondent was disciplined by the State  
7 of Connecticut Board of Examiners for Nursing ("Connecticut Board").

8 10. On or about May 7, 2008, pursuant to the Memorandum of Decision, in the  
9 disciplinary action entitled *Department of Public Health vs. Ronnie Ramirez, RN, Lic. No.*  
10 *078127*, the Connecticut Board revoked Respondent's registered nurse license. The basis for the  
11 disciplinary order is as follows:

12 11. On or about February 28, 2007, Respondent applied for a position as a registered  
13 nurse at Sinai Hospital of Baltimore, Department of Emergency Medicine. As part of the pre-  
14 employment process, Respondent was required to submit to a drug test. Respondent tested  
15 positive for cocaine and was terminated from employment.

### 16 **SECOND CAUSE FOR DISCIPLINE**

#### 17 **(False Statement on License Application)**

18 12. Respondent is subject to disciplinary action under section 2761, subdivision (e) for  
19 making a false statement in connection with the issuance of his registered nurse license. The  
20 circumstances are as follows:

21 13. On or about May 13, 2009, Respondent submitted his renewal application to the  
22 Board for his Registered Nurse license.

23 14. The renewal application asked Respondent to answer the following question, "Since  
24 you last renewed your license, have you had any license disciplined by a government agency or  
25 other disciplinary body; or, have you been convicted of any crime in any state, the USA and its  
26 territories, military court, or a foreign county?"

27 15. To this question, Respondent answered, "No."

28 16. Since Respondent renewed his application, he had been disciplined by the

1 Connecticut Board. The discipline is more thoroughly described in paragraphs 9 through 11,  
2 inclusive, above, and herein incorporated by reference,

3  
4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

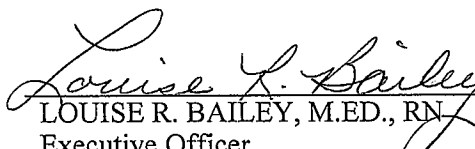
6 17. Respondent is subject to disciplinary action under Code section 2761, subdivision  
7 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more  
8 particularly described in paragraphs 9 through 16, inclusive, above, and herein incorporated by  
9 reference.

10 **PRAYER**

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
12 and that following the hearing, the Board of Registered Nursing issue a decision:

- 13 1. Revoking or suspending Registered Nurse License Number 675753, issued to Ronnie  
14 Ray Ramirez;  
15 2. Ordering Ronnie Ray Ramirez to pay the Board of Registered Nursing the reasonable  
16 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
17 Code section 125.3;  
18 3. Taking such other and further action as deemed necessary and proper.

19  
20  
21 DATED: March 22, 2011

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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